

REMARKS/ARGUMENTS

The corrected amendment is in response to the Notice of Non-Compliant Amendment dated April 12, 2007. The following documents were filed on April 2, 2007: a) response to the Office Action dated December 1, 2006; b) a Request for Continued Examination; c) a one month extension of time; and d) an Information Disclosure Statement.

In this present amendment, the added paragraph, referencing “related applications,” has not been underlined, in accordance with 37 C.F.R. § 1.121(b). The section heading “Reference to Related Applications” has been deleted. Applicants submit that this paragraph is in addition to the text of the specification as originally filed, and that this paragraph does not replace any of the original paragraphs. Applicants have also corrected the sentence on page 2 of this amendment (Amendments to the Specification) to reflect this paragraph is an addition, and not a replacement. No other changes have been made to the claim amendments and “remarks/arguments” as filed in Applicants’ response dated April 2, 2007.

Claims 1-4 and 6-21 are active in the present application. Claims 1, 4, 6, and 7 have been currently amended, and new Claims 10-21 have been added. Claim 5 has been currently canceled. Support for the amended and new claims can be found throughout the specification and in the original claims. Particular support for amended Claim 1 can be found on pages 2, 3 and 5 of the specification. Particular support for amended Claim 4 can be found on page 17 of the specification. Claim 6 was amended to clarify claim language, and Claim 7 was amended to correct a typographical error. Particular support for new Claim 10 can be found on page 17 of the specification. Particular support for new Claim 11 can be found on page 5 of the specification. Particular support for new Claim 12 can be found on page 17 of the specification. Particular support for new Claims 13-16 and 18-21 can be found on pages 2, 18 and 19 of the specification. Particular support for new Claim 17 can be found in original Claims 1 and 5, and on pages 5 and 17 of the specification (new Claim 17 incorporated the limitations of canceled Claim 5 into Claim 1). No new matter is believed to have been introduced by the amended claims.

As discussed above, Applicants also submit herewith an Information Disclosure Statement (IDS). Applicants request that the Examiner acknowledge the references cited in the IDS, by returning to Applicants' undersigned representative a signed, initialed and dated copy of the corresponding PTO/SB/08 form(s).

Claim Rejections under 35 U.S.C. § 102(b)

The Examiner maintained the rejection against Claims 1-4, under 35 U.S.C. § 102(b), as anticipated by U.S. Patent 5,494,953 to Rigosi et al. (hereinafter Rigosi). Applicants respectfully traverse for the following reasons.

Applicants' invention is directed to a polymer composition comprising greater than, or equal to, 40 percent by weight of one or more fillers, and less than 60 percent by weight of one or more homogeneous ethylene/C3-C20 alpha-olefin interpolymers that have a total crystallinity from 0 to 30 percent, and a Brookfield viscosity from 500 to 50,000 cP, measured at 350°F (177°C). Applicants respectfully submit that Rigosi does not teach or suggest the invention.

Rigosi is directed to polymer compositions comprising a propylene-based polymer, one or more heavy mineral fillers, and a compatibilizer (see abstract and column 1, line 61 to column 2, line 7). This reference does not teach or suggest the use of one or more homogeneous ethylene/C3-C20 alpha-olefin interpolymers, and does not teach or suggest this feature in combination with the other features of Claim 1. In addition, as discussed in Applicants' response filed September 15, 2006, the propylene polymers used in the compositions of Rigosi are of relatively high molecular weight, as represented by MFRL values ranging from 3.35 to 10 g/10 min (see column 2, lines 26 to column 3, line 30 of Rigosi). This range of MFRL values corresponds to Brookfield viscosities considerably higher than 210,000 cP (350°F), and are thus outside of Claim 1.

Therefore for at least these reasons Rigosi does not teach or suggest the invention as now claimed. Applicants request the withdrawal of this rejection.

U.S. Application No. 10/529,528
Response to Notice of Non-Compliant Amendment dated April 12, 2007
Corrected Response to Office Action dated December 1, 2006

Applicants respectfully submit that the present amendment is now in condition for allowance, and request early notice of such action. If further issues remain, Applicants request that the Examiner call Applicants' undersigned representative.

Respectfully submitted,

Date: May 14, 2007

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